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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2024

CORAM

THE HONOURABLE MR.JUSTICE **D. BHARATHA CHAKRAVARTHY**

W.P.No.6451 of 2024
and WMP.Nos.7171 & 7172 of 2024

Thamiz Selvi ...
Petitioner

-Vs-

1. The Joint Registrar / Chairman
   District Recruitment Bureau,
   Office of the Joint Registrar of
   Cooperative Societies,
   Krishnagiri District.

2. The Controller of Examination
   District Recruitment Bureau,
   Office of the Joint Registrar of Cooperative Societies,
   Krishnagiri District. ...
Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent pursuant to the provisional selection list for appointment to the post of Assistant in Cooperative Societies dated 24.01.2024 and quash the same and consequently, direct the respondents to follow the rule of reservation in selecting the Assistant to Cooperative Institutions as per their own Notification in Notification No.01/2023 dated 10.11.2023 and select the

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petitioner for the post of the Assistant to Cooperative Institutions forthwith.

For Petitioner : Mr.A.Ilayaperumal

For Respondents : Mr.P.Ganesan
Government Advocate

O R D E R

This writ petition is filed for issuance of a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent pursuant to the provisional selection list for appointment to the post of Assistant in Cooperative Societies dated 24.01.2024 and quash the same and consequently, direct the respondents to follow the rule of reservation in selecting the Assistant to Cooperative Institutions as per their own Notification in Notification No.01/2023 dated 10.11.2023 and select the petitioner for the post of the Assistant to Cooperative Institutions forthwith.

2. The Krishnagiri District Recruitment Bureau which is a statutory body constituted as per Rule 150 (2) of the Tamil Nadu Cooperative Societies Rules, 1988 and G.O.(Ms).No.4 Co-operative, Food and Consumer Protection Department dated 05.01.2016 to recruit the staff strength for various cooperative institutions, issued the above Notification No.1/2023 dated 10.11.2023. After the written examination and interview, without properly

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following the reservation quota, the respondents have acted in an arbitrary manner. A counter affidavit is now filed in the writ petition. It can be seen that as per the notification, the post in question has to be filled up by preferential appointment from among destitute widows. The petitioner also applied under the said quota. It is essential to extract paragraph No.4.3 of the counter affidavit which reads as follows:-

> ***4.3 It is submitted that two candidates have applied under Destitute Widow quota viz., Tmt.T.Tamizh Selvi/Writ petitioner herein and another one L.Amutha. Both incumbents participated in written examination and interview. In the written examination L.Amutha got 67.15 marks and in interview she got 23.66 marks and totally 90.81 marks. But the petitioner obtained 66.30 marks in written examination and 19.67 marks in interview and totally 85.97 marks. As L.Amutha got highest marks under the category of "Destitute Widow", she was selected and allowed to D.K.78, Anchoor Primary Agricultural Coop.Credit Society and joined on 02.02.2024.***

3. Thus it can be seen that the respondents have not violated the rules relating to preferential appointment and as a matter of fact the incumbent, who got selected and appointed, namely L. Amudha, had scored more marks in the written test as well as in the interview. At this stage, the learned counsel for the petitioner submitted that she is also aggrieved by the marks awarded to her as also to the selected candidates and that she will take further steps by way of

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filing an appeal in respect of the said appointment.

4. Be that as it may. The grievance expressed in the present writ petition that the respondents did not carry out the selection by not following the rule of reservation is unfounded. Instead the respondents have rightly followed the procedure and selected the candidate L.Amudha and she has also now been appointed. This writ petition stands dismissed as without merits. No costs. Consequently, connected miscellaneous petitions are also closed.

21.06.2024

Neutral Citation: Yes/No
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D. BHARATHA CHAKRAVARTHY, J.

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To

1. The Joint Registrar / Chairman
   District Recruitment Bureau,
   Office of the Joint Registrar of
   Cooperative Societies,
   Krishnagiri District.

2. The Controller of Examination
   District Recruitment Bureau,
   Office of the Joint Registrar of Cooperative Societies,
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